

STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES

In The Matter Of Determining Whether There  
Has Been A Violation Of The Mortgage  
Broker Practices Act Of Washington By:

**LAMPLIGHTER HOMES, INC.,**  
and **Kimberly Ruth Romero**, Designated  
Broker,

Respondents.

NO. C-02-359-04-CO01

CONSENT ORDER  
BETWEEN THE DEPARTMENT AND  
**LAMPLIGHTER HOMES, INC.**

COMES NOW the Director, Division of Consumer Services, Department of Financial Institutions (hereinafter Director), Chuck Cross, and Lamplighter Homes, Inc., (hereinafter Respondent) by and through their attorney David Hennings, and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges and Notice of Intention to Enter an Order To Revoke License, Prohibit from Participation in Industry and Assess Monetary Penalties (Statement of Charges) No. C-02-359-03-SC01 issued August 27, 2003 (copy attached hereto). Pursuant to chapter 19.146 RCW, Mortgage Broker Practices Act and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The

parties intend this Consent Order to fully resolve the Statement of Charges as it relates to Respondent and agree that Respondent does not admit any wrongdoing by its entry. Respondent agrees not to contest said Statement of Charges in consideration of the terms of this Consent Order.

Based upon the foregoing:

A. **JURISDICTION.** It is AGREED that the Department has jurisdiction over the subject matter of the activities discussed herein.

B. **CONSENT TO BE BOUND BY ORDER.** It is AGREED that the parties shall be bound by the terms and conditions of this Consent Order as set forth herein.

C. **WAIVER OF HEARING.** It is AGREED that Respondent has been informed of its right to a hearing before an administrative law judge, and that Respondent has waived same right to a hearing and any and all administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.

D. **MORTGAGE BROKER'S LICENSE SURRENDERED.** Respondent AGREES to immediately surrender its license to do business as a mortgage broker. Respondent further AGREES to immediately, upon entry of this order, provide the Department with the fully completed "Mortgage Broker Office Closure/License Surrender Form."

E. **PROHIBITION FROM INDUSTRY.** It is AGREED that Lamplighter Homes, Inc. and its officers, employees, and agents be prohibited from participation in the conduct of the affairs of a licensed mortgage broker under this chapter for five (5) years from the date of entry of this order. HOWEVER, should Lamplighter Homes, Inc. wish to remove this prohibition during the five-year period, Lamplighter Homes, Inc. may do so by paying to the Department a fine in the amount of \$3500.

F. **FINE.** It is AGREED that Respondent shall pay to the Department a fine of \$1000 upon entry of this order.

G. **ANNUAL ASSESSMENT.** It is AGREED that Respondent upon receipt of the Statement of Charges, paid the delinquent annual assessment of \$530.86 on October 9, 2003.

H. **EXAMINATION FEE.** It is AGREED that Respondent shall pay to the Department an examination fee of \$232.30, calculated at \$46.26 per hour for five (5) staff hours devoted to the investigation, upon entry of this order.

I. **MAINTAIN RECORDS.** It is AGREED that Respondent shall provide the Department, upon entry of this order, the location of the books, records and other information relating to Lamplighter Homes Inc.'s mortgage broker business, and the name, address and telephone number of the individual responsible for the maintenance of such records in compliance with the Act.

J. **NON-COMPLIANCE WITH ORDER.** It is AGREED that Respondent understands that failure to abide by the terms and conditions of this Consent Order may result in further legal action by the Director. In the event of such legal action, Respondent may be responsible to reimburse the Director for statutory costs including attorney fees under RCW 4.84.080.

K. **AUTHORITY TO EXECUTE ORDER.** It is AGREED that the undersigned have represented and warranted that they have the full power and right to execute this Consent Order on behalf of the parties represented.

L. **VOLUNTARILY ENTERED.** It is AGREED that the undersigned Respondent has voluntarily entered into this Consent Order, which is effective when signed by the Director's designee.

M. **COMPLETELY READ, UNDERSTOOD, AND AGREED.** It is AGREED that Respondent has read this Consent Order in its entirety and fully understands and agrees to all of the same.

Lamplighter Homes, Inc.

By: \_\_\_\_\_/s/\_\_\_\_\_  
Robert Bagwell, President

\_\_\_\_\_/5/18/04/\_\_\_\_\_  
DATE

\_\_\_\_\_/s/\_\_\_\_\_  
David Hennings, WSBA# 11848  
Attorney at Law  
Attorney for Respondent  
Lamplighter Homes, Inc.

\_\_\_\_\_/5/27/04/\_\_\_\_\_  
DATE

IT IS SO ORDERED.

Dated and Entered this 3rd day of June, 2004.

\_\_\_\_\_/s/\_\_\_\_\_  
CHUCK CROSS, Division Director  
Division of Consumer Services  
Department of Financial Institutions